THE BOMBAY HINDU DIVORCE ACT, 1947 (BOM. XXII OF 1947).

G. N., H. D., No. 709/5-II, dated 7th January 1949 (B. G., Pt. IV-B, p. 24).

Amended by G. N., H. D., No. 709/5-II, dated 29th October 1949.

S. 16 Bombay Hindu Divorce Rules, 1948.

In exercise of the powers conferred by section 16 of the Bombay Hindu Divorce Act, 1947 (Bom. XXII of 1947), the Government of Bombay is pleased to make the following rules, namely :—

1. (1) These rules may be called the Bombay Hindu Divorce Rules, 1948.

(2) They shall come into force on the 7th day of January 1949.

2. In addition to the particulars required to be given under rule 1 of Order VII of the First Schedule to the Code of Civil Procedure, 1908, every plaint presented under the Bombay Hindu Divorce Act, 1947, shall contain the following particulars :—

(*a*) the place and date of the marriage ;

(*b*) the name, status and domicile (whether in the State of Bombay or elsewhere) of the wife before marriage ;

(*c*) the name of the husband and his occupation, status and domicile (whether in the State of Bombay or elsewhere) at the time of the marriage ;

(*d*) the principal permanent addresses where the parties cohabited, including the address where they last resided together ; and

(*e*) whether there is any living issue of the marriage, and if so, the names and dates of birth or ages of such issue.

3. (1) In every plaint presented by a husband for divorce or judicial separation, on the ground that his wife is a concubine of any other man, the plaintiff shall state the name, occupation and place of residence of such man, so far as they can be ascertained.

(2) In every plaint presented by a wife for divorce or judicial separation, on the ground that her husband has any other woman as a concubine, the plaintiff shall state the name, occupation and place of residence of such woman, so far as they can be ascertained.

4. Where a husband or a wife is charged in the plaint with having any other named woman as a concubine or being a concubine of any other named man, as the case may be, a certified copy of the plaint containing such charge shall, unless the Court for good cause shown otherwise directs, be served upon the named person.

5. Where the written statement of the defendant alleges that the plaintiff is a concubine of any other named man or has any other named woman as a concubine, a certified copy thereof shall, unless the Court for good cause shown otherwise directs, be served on the person who is alleged to have the plaintiff as his concubine or who is alleged to be the concubine of the plaintiff, as the case may be.

6. The person on whom a certified copy of the pleading has been served under rule 4 or 5 may file in the Court an answer to the charge.